

**Bills Reflecting ICSW Proposals**

Charlotte Nelson was confirmed 49/0 on 4/15/03 in the Iowa Senate as Administrator of the Division on the Status of Women.

SCR9 and HCR17 declared March observed as Women's History Month (both laid over Rule 25)

SR30 requires the State Board of Examiners for Nursing Home Administrators consider the development of rules allowing an individual with a four-year degree in either health, business, or human services who has passed the national administrator board examination to obtain a one-year temporary nursing home administrator license and to work under the supervision of a licensed nursing home administrator while obtaining a permanent license.

SR31 and HR44 congratulates the University of Northern Iowa Panthers Women's Volleyball Team, Head Coach Bobbi Petersen, and the coaching staff on their successful season

HF27 congratulates Stephanie A. Moore on her service as Miss Iowa.

HR32 requests the government oversight committee of the house of representatives to study nurse staffing levels and mandatory overtime practices involving nurses during the 2003 legislative interim and to make recommendations for legislative action in 2004

**Support Priority: Aging/Long-Term Care #5A**

HF417 provides training for certified nurse aide shall be increased from 75 to 90 hours  
3/4/03 State Government:

HF588 provides a nurse aide training and competency evaluation program shall consist of at least 90 clock hours; a minimum of 12 hours of continuing education annually in order to maintain that certification.  
3/17/03 State Government:

**Oppose: Divorce**

SF411 (formerly SSB1056) established that a party may divorce **only upon** proof of any of the following: a. adultery. b. a felony/sentenced to imprisonment. c. abandoned the matrimonial domicile for a period of one year and refuses to return. d. physical or sexual abuse the party seeking the order or dissolution or a child of one of the parties. e. living separate and apart continuously without reconciliation for a period of two years.

3/13/03 Human Resources recommended passage

4/17/03 Re-referred to Human Resources

**Support: Economics under Study Proposals**

SR18 requests that the Legislative Council establish an interim committee to review the economic, fiscal, and social impact of the establishment of a living wage in Iowa.

2/26/03 Rules & Administration:

**Support: Economics #3a.**

SSB1071 and HSB117: Child Care Employee Benefits Act: provides tax incentives to businesses which make expenditures to provide child care benefits to its employees

**Support: Economics #3g.**

HF227 requires registration if a person provides child care to a child for more than four hours per day on a regular basis; DHS will develop standards for providing qualifications and training, program quality, and provider history of

compliance with standards, capacity, fire safety, and other requirements. (Under current law, a child care home may provide child care to five or fewer children at any one time with registration as optional; also requires registration if providing care to six or more children at any one time.)  
3/17/03 Human Resources recommended passage

#### **Economics #4**

HF655 continues the displaced homemakers/Iowans in Transition program grants through the ICSW

#### **Support: Economics #6**

SF254 provides that a person or employer shall not discriminate in providing compensation for work of comparable worth between jobs predominately held by women and men. The bill defines "comparable worth" as being the value of work as measured by the skill, responsibility, and working conditions involved in performing the work. A violation of this provision constitutes a simple misdemeanor

3/4/03 Business & Labor Relations: Schuerer, Dearden, Lundby

SF255 creates a new Code chapter 91F.1 governing wage discrimination and makes it unlawful for an employer to pay wages that discriminate between employees based on sex, race, or national origin unless the differences are due to a valid factor unrelated to sex, race, or national origin. The bill requires employers to provide employees with information on how the employees' wage is calculated annually. The bill also requires employers to maintain records concerning wages paid to employees. The bill also makes it unlawful for an employer to take action against a person exercising their rights pursuant to this new chapter; and permits an affected employee to maintain an action against an employer who violates this chapter and to obtain damages, seek an injunction, and be awarded witness and attorney fees and costs. The bill also permits employees to maintain an action on behalf of other employees. In addition, the labor commissioner is granted the authority to resolve complaints arising out of this chapter and to maintain a civil action for monetary and equitable relief on behalf of employees.

3/4/03 Business & Labor Relations: Schuerer, Dearden, Lundby

HF451 creates chapter 91F.1 governing wage discrimination; provides that an employer shall not pay wages that discriminate between employees based on sex, race, or national origin unless the differences are due to a valid factor unrelated to sex, race, or national origin.

3/5/03 Commerce, Regulations & Labor:

#### **Support: Economics #7**

HF163 Phase I establishes a minimum annual salary and a formula for distribution of state moneys to assist school districts in meeting the minimum salary requirement; phase II provides state aid for general salary increases; and phase III distributes moneys to assist in the development of performance-based pay plans and supplemental pay plans requiring additional instructional work assignments.

2/11/03 Education: Carroll, Tymeson, Wise

#### **Support Priority: Economics #8**

HF29 raises Iowa's hourly minimum wage to \$5.65 on 1-1-2004, and to \$6.15 on 1-1-2005. The state hourly minimum wage for employees serving a 90-day training period is raised to \$5.15 on 1-1-2004, and to \$5.65 on 1-1-2005. (\$5.65 full-time is an annual salary of \$11,752 while \$6.15 full-time is an annual salary of \$12,792. The new federal poverty guidelines released 2/7/03 list a parent with one child in poverty at \$12,120 annual income.)

1/23/03 Commerce, Regulation & Labor: Horbach, Petersen, Watts

SF419 provides that Iowa's hourly minimum wage rate will always be \$1 more than the federal minimum wage

3/17/03 Business & Labor Relations: Schuerer, Dearden, Lundby

#### **Oppose: Economics**

SF159 abolishes the targeted small business financial assistance program

2/20/03 Economic Growth: Veenstra, Larson, Ragan

#### **Support: Unfair Employment Practice**

HF119 provides that it is an unfair employment practice under the Iowa civil rights act to discriminate against any employee or applicant for employment because that person has exercised the person's rights under the federal Family and Medical Leave Act.

2/6/03 Commerce, Regulation & Labor: Horbach, Petersen, Raecker

SF214 reads the same as HF119

3/3/03 Business and Labor: Schuerer, Dearden, McKibben

**Support Priority: Equality #4**

City ordinances are in effect in Ames, Cedar Rapids, Davenport, Des Moines, and Iowa City.

SF33 defines "sexual orientation" exactly like SF105; cosponsors were added and a different Senate committee was assigned to process the second bill

1/22/03 State Government: Schuerer, Ragan, Veenstra

SF105 defines "sexual orientation" and prohibits discriminatory employment, public accommodation, housing, education, and credit practices based upon a person's sexual orientation. However, the bill does allow for the imposition of qualifications by bona fide religious institutions based upon sexual orientation if related to a bona fide religious purpose.

2/10/03 Human Resources: McKinley, Behn, Kreiman

HF270 defines "sexual orientation" and prohibits discriminatory employment, public accommodation, housing, education, and credit practices based upon a person's sexual orientation.

2/21/03 Judiciary:

**Support: Health #1**

HF540 provides for the development of pilot projects for health insurance for individuals and group health insurance for small employers and nonprofit entities

3/13/03 Commerce, Labor & Regulation:

**Support: Health #2**

HF136 adds benefits to the health program benefit package of the healthy and well kids in Iowa program including care coordination, dental services, mental health and substance abuse benefits, institution services, occupational therapy services, and case management for children with special health care needs

2/6/03 Human Resources: Heaton, Granzow, Miller

2/19/03 fiscal note

**Support: Health #2**

HF325 provides for increasing coverage for children under the healthy and well kids in Iowa (hawk-i) program to 300 percent of the federal poverty level.

2/26/03 Human Resources: Hutter, Heaton, Hunter

**Support: Health #2**

HF384 directs the Supreme Court, in cooperation with DHS, to determine the feasibility of utilizing coverage under the hawk-i program to fulfill the medical support obligation of parents to a dependent under a medical support order.

3/4/03 Human Resources: Heaton, Murphy, Tymeson

**Support: Health #4**

HF472 continues funding statewide chlamydia screening and treatment at \$50,000

**Support: Health #6**

HF97 (Holly's bill) required coverage for physician-recommended mammograms every six months for women with a family history of breast cancer (withdrawn 3/18/03) - see HF543

HF543 relates to notice provisions for the external process for health care coverage decisions under Code chapter 514J. The bill adds a requirement that the phone number for an insured to obtain more information about the external review process be printed on the insured's insurance card, and be posted in a prominent place in health care facilities.

3/18/03 passed House 99/0

4/10/03 Senate Commerce recommended passage w/amendment

SA3196 amended HF543 to read as follows: A policy or contract providing for third-party payment or prepayment of health or medical expenses shall provide minimum mammography examination coverage, including, but not limited to, the following classes of third-party payment

provider contracts or policies delivered, issued for delivery, continued, or renewed in this state. Specifically: one baseline mammogram for any woman who is thirty-five through thirty-nine years of age, or more frequent mammograms if recommended by the woman's physician and a mammogram every year for any woman who is fifty years of age or older, or more frequently if recommended by the woman's physician. The commissioner of insurance shall adopt rules necessary to implement this.

4/30/03 passed Senate 50/0 with amendment SA3196

5/1/03 passed House 95/0

5/16/03 signed by Governor

**Support: Health #8**

HF667 continues to fund \$1.2 million for family planning services

**Oppose: Health #9**

SSB1055 Woman's Right to Know Bill

**Oppose: Family Planning Grants**

HF111 specifies criteria in the awarding of grants or contracts relating to family planning and reproductive health services to those that engage in the LEAST number of abortions

2/5/03: Human Resources: Roberts, Smith, Tymeson

**Priority: Health #12**

HF667 funds \$1.3 million for grants awarded to pregnancy prevention programs, which are comprehensive in scope and are based on existing models demonstrating positive outcomes.

**Support: Breast Cancer License Plate**

SF127 establishes a special breast cancer awareness motor vehicle registration plate bearing a processed emblem with an image of a pink ribbon signifying breast cancer awareness, and appropriating fees (\$35/25) from such plates for breast cancer screening through the Susan G. Komen Foundation or similar organization

2/26/03 passed Senate 49/0

3/6/03 passed House 95/0

3/12/03 signed by the Governor

**Support: Health under Administrative Proposals #2**

HF667: If the federal centers for Medicare and Medicaid services approves a waiver request from DHS, then DHS shall provide a period of 24 months of guaranteed eligibility for medical assistance family planning services, regardless of the change in circumstances of a woman who was a medical assistance recipient when a pregnancy ended.

**Support Priority: Insurance #5**

HF627 (formerly HSB288) mental health parity bill

3/18/03 House placed on calendar

4/14/03 Re-referred to Human Resources

SF232 (also HSB48) mental health parity bill

3/3/03 Commerce: Angelo, Warnstadt, Wieck

HF63 mental health parity bill

1/28/03 Commerce, Regulation & Labor: Hansen, Osterhaus, Sands

SF227 mental health parity bill

3/3/03 Commerce: Angelo, Warnstadt, Wieck

SF243 mental health parity bill  
3/4/03 Commerce: Angelo, Warstadt, Wieck

Of Interest: Insurance #5 (no substance abuse included)  
SF58 mental health parity bill  
1/29/03 Commerce: Angelo, Warnstadt, Wieck

**Support: Insurance**

HF104 requires third-party payors of health or medical expenses to provide coverage for screening tests for women who are at risk for ovarian cancer.

2/6/03 Commerce, Regulation, Labor: Hansen, Murphy, Sands

**Support: Justice #4**

HF598 DIVISION I – conditional discharge for drug-related offenses.

DIVISION II – eighty-five percent sentence reopenings.

DIVISION III – reclassification of certain felony offenses. maximum term of confinement changed for certain class "b" felonies. class "c" felonies reclassified as class "d" felonies. class "d" felonies reclassified as class "e" felonies. class "d" felonies reclassified as class "f" felonies

4/10/03 introduced by Judiciary; placed on calendar under unfinished business

4/23/03 substituted SF422 and on 4/24/03 was withdrawn

SF422 amends the 85% mandatory minimum law, to move up eligibility for parole. An offender may be eligible for parole after serving at least 70% of the maximum sentence, rather than 85%. County attorneys may reopen cases in which offenders have been sentenced to serve a minimum of 85% of their total sentence. The sentencing legislation enacted in 2001, which provided the court the authority to prescribe a specific term of incarceration, is repealed. Also aligns the penalties for crack and powder cocaine more closely (from 100:1 to a 10:1 ratio) making the cocaine laws tougher.

4/8/03 passed Senate 47/3

4/23/03 passed House 72/26

4/28/03 passed Senate 49/0

4/29/03 passed House 70/29

5/30/03 signed by Governor

HF569 relating to criminal sentencing and procedure by changing the penalties for certain offenses involving a substance containing cocaine base, creating a criminal offense of robbery in the third degree, expanding the applicability of the intermediate criminal sanctions program, changing the parole and work release eligibility of a person serving a sentence that requires the maximum accumulation of earned time credits of fifteen percent of the total term of confinement, creating a community-based corrections advisory board, and providing a penalty.

3/14/03 Public Safety:

**Support Priority: Justice #9**

HF402 makes restoration of the right to register to vote and to vote automatic upon a person's release from probation, parole, or work release, or upon completion of the person's term of confinement and upon the person making full restitution, including completion of a community service requirement.

3/13/03 State Government Committee recommended passage

HF178 makes restoration of the right to register and to vote automatic upon a person's release from probation, parole, or work release, or upon completion of the person's term of confinement.

2/12/03 State Government:

SF311 makes restoration of the right to register to vote and to vote automatic upon a person's release from probation, parole, or work release, or upon completion of the person's term of confinement.

3/6/03 State Government: Schuerer, Dearden, Sievers

**Monitoring: Justice #9**

HF445 makes restoration of the right to register to vote and to vote automatic upon a person's release from probation, parole, or work release, or upon completion of the person's term of confinement if the person has only once been convicted of a felony offense. The bill applies to ONLY persons discharged on or after July 1, 2003.

3/5/03 State Government:

**Support: Justice**

HF249 increases the penalty of the criminal offenses related to flunitrazepam (referred to as the "date rape" drug) from misdemeanor to a class "D" felony for manufacturing, delivering, possessing with the intent to manufacture or deliver, or conspiring to manufacture, deliver, or possess with the intent to manufacture or deliver flunitrazepam. An aggravated misdemeanor is punishable by confinement for no more than two years and a fine of at least \$500 but not more than \$5,000. A class "D" felony is punishable by confinement for no more than five years and a fine of at least \$750 but not more than \$7,500.

3/4/03 passed House 97/0

3/31/03 passed Senate 50/0

4/9/03 signed by Governor

**Support: Violence Against Women # 3 and #8**

For #3 – SF402 adds use of an object to penetrate the genitalia or anus of another person as a class C felony; and

For #8 - SF402 allows in a criminal prosecution in which a defendant has been charged with sexual abuse, evidence of the defendant's commission of another sexual abuse is admissible and may be considered for its bearing on any matter for which the evidence is relevant.

3/25/03 passed Senate 48/1

4/22/03 passed House 98/0 w/amendment

4/23/03 passed Senate 50/0

5/16/03 signed by Governor

**Oppose: Violence Against Women**

HF206 increases the child age from 12 to 16 years for mandatory reporting of suspected child sexual abuse perpetrated by a person other than the person responsible for the care of the child; adds clergy member to the list of mandatory reporters. (ICSW opposes the bill because of concern that many young adolescents would simply seek no assistance and consult with no one, rather than risk being reported to DHS)

2/26/03 passed House 76/22

4/21/03 passed Senate 33/12

5/30/03 vetoed by Governor

**Support: Violence Against Women**

HF561 provides that a person who knowingly views, photographs, or films another person for the purpose of arousing or gratifying the sexual desires of any person while the other person is in a state of full or partial nudity, commits invasion of privacy under certain circumstances. A person commits invasion of privacy, if the person being viewed, photographed, or filmed does not consent or is unable to consent to being viewed, photographed, or filmed, the person is in a state of full or partial nudity, and the person has a reasonable expectation of privacy. The bill defines "full or partial nudity" to mean showing of genitals, pubic area, buttocks, or female nipple. A person who commits invasion of privacy is guilty of a serious misdemeanor. A serious misdemeanor is punishable by confinement for no more than one year and a fine of at least \$250 but not more than \$1,500.

3/24/03 passed House 96/0

3/25/03 Senate Judiciary: Lamberti, Holveck, Kettering

HF548 added sexual assault curriculum as a minimum study requirement for law enforcement training schools. (minimum course of study already included requirements for domestic abuse and crime victim assistance organizations)

3/18/03 passed House 99/0  
4/8/03 passed Senate 46/0 w/amendment  
4/21/03 passed House 100/0  
4/28/03 signed by Governor

**Support: Welfare #7**

HSB304 increases from 5 percent to 10 percent the amount of the state's portion of real estate transfer tax collected for the shelter assistance fund.

**Support: Welfare #8**

SF458 creates a state housing trust fund to be administered by the Iowa Finance Authority. It consists of: 1) any assets received by the authority from the Iowa housing corporation; 2) any moneys transferred by the authority; and 3) any other monies appropriated from the general assembly. Currently in the Infrastructure budget, there is an \$800,000 appropriation for the creation of a housing trust fund. The provision creates a local housing trust fund account and a project-based housing account within the housing trust fund. Of the assets appropriated in the housing trust fund account, 60% shall be allocated to the local housing trust fund and 40% shall be allocated to the project-based housing account. Approved local housing trust funds must have all of the following: 1) a local governing board; 2) housing assistance approved by the authority; 3) sufficient administrative capacity; and 4) a local match approved by the authority. An award from the local housing trust fund account cannot exceed 10% of the balance of the account at the beginning of the fiscal year plus 10% of any deposits made during a fiscal year. By December 31 of each year, a local housing trust fund receiving moneys from the local housing trust fund program shall submit a report to the authority itemizing expenditures of the awarded moneys.

5/1/03 passed Senate 27/22

5/1/03 passed House 93/5

5/30/03 signed by Governor

**Bills that are Being Monitored**

**Of Interest: Abortion**

SF3 requires that information regarding the method used for an induced termination, including whether mifepristone (RU-486) was used, be included in a termination of pregnancy report made by a health care provider to the Iowa department of public health.

3/17/03 passed Senate 42/6

4/15/03 passed House 93/5

4/21/03 signed by Governor

**Of Interest: Adoption**

SSB1057 prohibits the licensing of individuals who are homosexual as foster family homes; also prohibits a person who is otherwise eligible to adopt under the current provisions from adopting if the person is a homosexual.

**Of Interest: At-Home Infant Care**

HF321 at-home infant child care program-- see HF613

2/26/03 Human Resources: Granzow, Greimann, Tymeson

HF613 amends the child care facilities Code chapter to require DHS to establish an at-home infant child care program for certain families that are eligible for the state child care assistance program or are participating in the family investment program. Families receiving other public funding for child care or otherwise receiving other public assistance are not eligible. An eligible family's infant cannot exceed 12 months of age.

3/18/03 Appropriations: Dix, Murphy, Upmeyer

Of Interest: Child Custody

HF22 provides that if parents are awarded joint legal custody of a child, the court shall award joint physical care to both parents, unless a parent objects to joint physical care and provides clear and convincing evidence that joint physical care is unreasonable and not in the best interest of the child.

3/13/03 Human Resources recommended passage

4/14/03 Re-referred to Human Resources

Of Interest: Child Custody

HF330 (formerly HF64) provides for modification of a custody order based upon the cohabitation of a parent. The bill provides that if a parent awarded joint legal custody or sole legal custody cohabits with an unrelated person, the court may consider the cohabitation a substantial change in circumstances. If the court determines that the cohabitation is a substantial change in circumstances, the court may modify the custody order if modification is in the best interest of the minor child. The bill defines "cohabitation" or "cohabiting".

2/26/03 introduced by Human Resources

Of Interest: Child Support

SF32 requires that the collection services center in disbursing child support payments received in accordance with an order being enforced by the child support recovery unit for an individual not eligible for enforcement services as a public assistance recipient, and the clerk of the district court disbursing child support payments collected in accordance with a support order filed in that county, are only to disburse payments through direct deposit of the support in a customer asset account established by the recipient of the support for the exclusive purposes of depositing of the support payments and use of such deposits for the support of the child.

1/22/03 Human Resources: Seymour, Horn, Schuerer

Of Interest: Child Support

SF265 provides for the diversion of a portion of a noncustodial parent's child support obligation to a college savings plan set up by the state of Iowa or one or two educational institutions in situations where the custodial parent, who has benefited from higher education, has sufficient income to adequately support the daily needs of the child.

3/5/03 Judiciary: Boettger, McCoy, Tinsman

Of Interest: Child Support

HF476 provides that modification of a child support judgment or order may be retroactively applied only to three months after the date of the notice of hearing or notice of the pending petition, unless the court finds that the modification should retroactively be applied to the date the notice is served on the opposing party, due to a substantial change in circumstances. Under current law, a modification may be retroactively applied only to three months after the date of notice.

3/6/03 Human Resources:

Of Interest: Credit Report

HF129 requires credit reporting agencies to provide a consumer with one copy of the consumer's credit report per year at no cost to the consumer upon the written or verbal request and proper identification of the consumer

2/6/03 Commerce, Regulation & Labor: Jacobs, Oldson, Wilderdyke

Of Interest: Credit Report

HF395 amends Code section 537.3311, part of the Iowa consumer credit code. Current Code language prohibits a creditor from discriminating against a consumer in a consumer credit transaction based on age, color, national origin, sex, marital status, disability, public source of income, or the exercise of consumer rights under the Iowa consumer credit code or other provisions of law. The bill replaces the final phrase with a specific reference to the federal Consumer Credit Protection Act, which includes federal consumer laws on such subjects as consumer credit cost disclosures, credit reporting agencies, and debt collection practices, as well as equal credit opportunity provisions prohibiting discrimination in the granting of credit

3/18/03 passed House 92/0

4/14/03 passed Senate 50/0

4/21/03 signed by Governor



Of Interest: Economics

HF390 changes targeted small business by eliminating the self-employment loan program; adding low-income person; and allowing up to \$50,000 in a loan

3/17/03 passed House 96/0

4/14/03 passed Senate 49/0

4/25/03 signed by Governor

Of Interest: hawk-i

SF26 deletes the requirement that DHS establish family cost sharing based on a sliding fee scale and establishes a cost sharing amount approved by the hawk-i board; eliminates the requirement that the outreach efforts include a comprehensive statewide media campaign; adds benefits to the hawk-i benefit package, including care coordination, dental services, mental health and substance abuse benefits, medically necessary nutrition services, physical and occupational therapy services, and case management for children with special health care needs; also allows for cost sharing based upon the family income percentage

2/22/03 Human Resources: Seymour, Boettger, Kreiman

2/19/03 fiscal note

Of Interest: hawk-i

HF565 deletes the requirement that DHS establish family cost sharing based on a sliding fee scale. The new language reflects current practice which is establishment of a cost sharing amount approved by the hawk-i board. The bill also directs DHS to perform annual, random reviews of enrollee applications to ensure program compliance. Quality assurance reports are to be made to the board and to DHS based upon the data maintained by the administrative contractor of the program. The bill changes the minimum number of required meetings of the hawk-i board from not less than 10 times annually to not less than six but not more than 12 times annually. The bill eliminates the requirement that the outreach efforts developed by the board include a comprehensive statewide media campaign. The bill directs the board, in consultation with the clinical advisory committee, to assess the initial health status of children participating in the program, establish a baseline, and develop appropriate indicators to assess the subsequent health status of children participating in the program, rather than directing the board to select a single, nationally recognized assessment form for children participating in the program. The bill eliminates the requirement that the board perform periodic random reviews of enrollee applications to assure program compliance, as this function is given to the department under the bill. The bill also directs the advisory committee on children with special health care needs to make recommendations, annually, by January 1, rather than only one time by January 1, 1999. The bill eliminates the directive to the hawk-i board to adopt rules to address approval of a program application in cases in which prior employer-sponsored coverage ended less than six months prior to determination of eligibility for the program. The bill also eliminates a requirement that participating insurers submit a marketing plan to the hawk-i board consistent with the board's outreach plan, for approval by the board. The bill amends the directive to the administrative contractor to forward names of children who appear to be eligible for health insurance coverage, other than medical assistance, to local offices of DHS or other appropriate persons, and limits the directive to forwarding the names of children who appear to be eligible for medical assistance only to the state offices of DHS. The bill also eliminates the directive to the administrative contractor to make program applications available through the mail and through local sites, as determined by DHS, including to schools, local health departments, local department of human services offices, and other locations. The bill also provides that a child may participate in the hawk-i program if, among other criteria, the child is not currently covered or was not covered in the past six months under a group health plan unless allowed by rule of the board. The bill also allows for cost sharing based upon the family income percentage which is either below 150 percent of the federal poverty level or which equals or exceeds 150 percent of the federal poverty level.

3/20/03 passed House 89/0  
4/17/03 passed Senate 50/0 w/amendment  
4/22/03 passed House 98/0  
5/12/03 signed by Governor

Of Interest: Health Care

HF628 expands access to health care by streamlining the licensing process for physician's assistants, and allowing physician's assistants to care for patients in emergency settings without a supervising physician  
4/8/03 passed House 99/0  
4/16/03 passed Senate 50/0  
4/30/03 signed by Governor

Of Interest: Income Taxes

SF4 increases the state individual income tax exemption for pension and retirement pay from \$6,000 to \$9,000 for single filers and from \$12,000 to \$18,000 for married taxpayers.  
1/21/03 Ways and Means: Rehberg, Seng, Shull

HF24 provides a phase out of the state income tax on pension or retirement pay. Currently, a single filer is allowed to exclude \$6,000 of pension or retirement pay and joint filers are allowed to exclude \$12,000 of pension or retirement pay for state income tax purposes. The bill allows an exclusion of \$9,000 and \$18,000 respectively for 2003, \$12,000 and \$24,000 respectively for 2004, and beginning in 2005 provides exclusion of the total amount for single and joint filers.  
1/27/03 Ways & Means: Boal, Kramer, Oldson

Of Interest: Life License Plates

SF95 authorizes DOT to issue choose life special registration plates displaying a choose life emblem designed in consultation with Choose Life, Inc.; fee \$35, with personalized \$25 annual fee \$15, personalized plates \$5  
2/12/03 Transportation: Drake, McCoy, Putney

HF139 is the same as SF95  
2/6/03 Transportation:

Of Interest: DV License Plates

SF524 establishes a special prevention of domestic violence motor vehicle registration plate, designed by DOT in cooperation with the Iowa coalition against domestic violence. The special fee for initial issuance of the plate is \$35 for letter number designated plates and \$60 for personalized plates. The annual special fee, to be paid in addition to the regular annual registration fee, is \$10 for letter number designated plates and \$15 for personalized plates. The treasurer of state is directed to transfer the special fees from prevention of domestic violence plates to the state attorney general to be used for domestic violence programs which previously received funding through the domestic abuse services income tax checkoff.  
3/12/03 Transportation:

Of Interest: Marriage

SF216 establishes the procedure and requirements for a covenant marriage; requires the county registrar to provide each applicant for a marriage license with an informational pamphlet on covenant marriage, prepared by the office of the attorney general. The bill requires the certificate of marriage to include a place to allow the parties to designate the marriage as a covenant marriage. After the marriage is solemnized, the officiating minister or magistrate is directed to return the completed certificate of marriage with the section designating the marriage a covenant marriage clearly indicated to the county registrar in the county in which the parties applied for a license to marry, within 15 days of the solemnization.  
2/26/03 Human Resources: Schuerer, Hatch, Veenstra

SF217 changes the marriage license fee from the current fee of \$35 so that the fee is \$50 for a license unless the parties have completed premarital education, in which case the fee is reduced to \$20. The bill provides that the

application form for a marriage license is to have attached a certificate form to be used by the parties to document completion of premarital education. The certificate is to be completed by the parties and signed by the person who provided the premarital education. The bill specifies the information to be included on the certificate and specifies the persons who meet the requirements to provide premarital education. The bill provides that if the parties have completed and documented completion of premarital education, a license to marry becomes valid three days after the date of issuance of the license, but if the parties have not completed and documented completion of premarital education, the license to marry does not become valid until 30 days after the date of issuance of the license. The bill provides that a license to marry which would not become valid until 30 days following the issuance of the license may be validated before expiration of the 30 days in cases of emergency or extraordinary circumstances.

2/26/03 Human Resources: Schuerer, Horn, McKinley

SF414 (formerly SSB1120) requires parties applying for a marriage license to document completion of 12 hours of premarital education by completing a certificate form attached to the marriage license application. The bill prohibits issuance of a marriage license to parties who have not completed the required 12 hours of premarital education. The bill also specifies persons who may provide the required premarital education. The bill requires that a petition for dissolution of marriage shall, if there is any minor child whose welfare may be affected by the controversy, state that the parties both agree to the dissolution. The bill requires the court to order parties to a dissolution of marriage to participate in mediation. The bill extends the waiting period before a dissolution of marriage decree is granted to 365 days from the existing 90 days, prohibits the granting of a decree if there is any minor child affected by the controversy and the parties do not agree to the dissolution, and prohibits the granting of a decree if the court determines that the dissolution is not in the best interest of any minor child.

3/17/03 introduced by Human Resources; committee recommended passage

4/17/03 placed on calendar under unfinished business

SF409 provides for the execution of premarital and marital mediation agreements. The bill defines "premarital mediation agreement" as an agreement between prospective spouses, made in contemplation of marriage and to be effective upon marriage, in which the prospective spouses agree to submit any domestic relations dispute arising during the marriage to mediation. The bill requires that a premarital mediation agreement be in writing and signed by both prospective spouses. The agreement is enforceable without consideration other than the marriage. The bill provides that a premarital mediation agreement becomes effective upon the marriage of the parties.

3/31/03 failed to pass in Senate 24/25

3/31/03 motion to reconsider

#### Of Interest: Violence Against Women

HF480 takes construction out of the revolving fund in the state treasury consisting of any moneys appropriated by the general assembly and real estate transfer taxes for purposes of the ~~construction~~, rehabilitation, expansion, or costs of operations of group home shelters for the homeless and domestic violence shelters.

3/25/03 passed House 96/0

4/25/03 passed Senate 48/0

4/25/03 signed by Governor

#### Of Interest: Violence Against Women

SF221 makes changes to the definition of the criminal offense of sexual exploitation of a minor by making it unlawful to solicit or attempt to cause a minor to engage in a prohibited sexual act or simulated prohibited sexual act. The bill also strikes language from the criminal elements of the crime of sexual exploitation of a minor in response to a recent US Supreme Court Opinion, *Ashcroft v. Free Speech Coalition*, 122 S.Ct. 1389 (2002). The bill strikes language that prohibits the purchase, possession, or promotion of material that portrays what appears to be a minor in a prohibited sexual act. The Supreme Court found the provision "what appears to be a minor" to be overly broad and in violation of the First Amendment of the US Constitution and stated its own opinion that the First Amendment requires a more precise restriction.

3/17/03 passed Senate 49/0

4/16/03 passed House 100/0

4/22/03 signed by Governor

### Of Interest: Violence Against Women

HF404 authorizes a sentencing court to issue a no-contact order to protect victims of any public offense, their immediate family members, persons residing with the victim, and any witnesses to the offense if the court finds that the presence of or contact with the defendant poses a threat to the safety of the victim. The bill provides that the duration of the no-contact order may extend for a period of five years from the date the judgment is entered or the deferred judgment is granted, or up to the maximum term of confinement, whichever is greater. The court may order the no-contact order regardless of whether the defendant is placed on probation. A defendant who violates a no-contact order issued is subject to summary contempt proceedings.

3/18/03 passed House 99/0

4/10/03 passed Senate 48/0 w/amendment

4/22/03 passed House 99/0

5/2/03 signed by Governor

SF15 creates a criminal offense for promoting a sexual content telephone card to a minor

1/21/03 Judiciary: Larson, Kreiman, McKibben

SF44 creates a criminal offense of sexual exploitation by a school employee.

1/27/03 Judiciary: Boettger, Horn, Larson

SF169 creates a criminal offense of sexual exploitation by a school employee

2/20/03 Education: Angelo, Beall, Larson

SF89 provides for the assessment of a \$10 surcharge for a conviction for domestic abuse assault; and appropriated to the department of justice for the purposes of the costs of operation of domestic violence shelters for victims of domestic abuse; also provides that the surcharge shall not be included in the maximum statutory fine limits for both misdemeanor and felony domestic abuse assault offenses, and further excludes the surcharge from delinquent collections provisions

2/10/03 Judiciary: Larson, Horn, Tinsman

SF181 authorizes DHS to disclose information to a client regarding the presence of a perpetrator of a sexual offense in the client's home.

2/20/03 Human Resources:

HF310 reenacts the income tax checkoff for domestic abuse services, which was removed from the income tax form because it had received the lowest amount of funds over a three-year period.

2/26/03 Ways and Means:

HF530 modifies the definition of a sex act to include the penetration of any object into the genitalia or anus except in the course of examination or treatment of a person licensed pursuant to Code chapter 148, 148C, 150, 150A, 151, or 152. If an object is in contact with the genitalia or anus, current law requires the object be an artificial sex organ or substitute for an artificial sex organ.

3/12/02 Public Safety:

### Of Interest: State Government Operations

HF472 appropriates for the 2003-2004 **federal** fiscal year which begins October 1, 2003, **block grants** available from the federal government and provides procedures for increasing or decreasing the appropriations if the block grants are increased or decreased.

3/18/03 passed House 99/0

4/7/03 passed Senate 50/0

4/14/03 signed by Governor

HF134 requires the budget submissions of executive branch departments and the judicial branch to utilize a zero-base approach (introduced by Eichhorn, House Chair of Administration and Regulations Appropriation Subcommittee)

## 2/6/03 Appropriations: Eichhorn, Alons, Smith

HSB131 requires official state reports include a financial information section pertaining to the topic of the report (the budget for the current year and the previous year's actual revenues and expenditures in a columnar format)

SF150 and HF211 -- The Program Elimination Commission (PEC) recommendations are incorporated in these two bills introduced by the Government Oversight Committee; neither bill mentions Department of Human Rights or Division on the Status of Women. Both bills relate to government efficiency by providing for the delivery of administrative services to state government, establishment of common state services regional boundaries, revising medical assistance program eligibility and benefits provisions, improving coordination of veterans benefits eligibility determinations, requiring a comprehensive study of the state mental health institutes, and revising requirements involving the judicial district departments of correctional services, and providing effective dates.

SF228 by Miller: Division on the Status of Men and Women dead - see SF377

SF377 Section 1. COMMISSION ON THE STATUS OF WOMEN – STUDY – MALE ISSUES

This bill provides that the commission on the status of women shall conduct a study of issues affecting men and submit a report to the general assembly by January 1, 2004, with its findings and recommendations (establishing a separate commission on issues concerning men, gender-specific cultural biases, male mathematics and science classes, career skills development, marital issues, and health issues)

3/13/03 introduced by State Government as approved; placed on calendar

4/17/03 Re-referred to State Government

HF655 - STATUS OF WOMEN DIVISION - For salaries, support, maintenance, miscellaneous purposes, including the Iowans in transition program, and the domestic violence and sexual assault-related grants, and for not more than three full-time equivalent positions: \$ 330,852

3/25/03 passed House 54/43

4/8/03 passed Senate 33/17

4/21/03 passed House 55/45

5/30/03 signed by Governor

SF439 Departments of Corrections and Justice appropriation

1) allows 216 FTES and \$12,260,590 for the ICIW in Mitchellville; and \$1,138,166 for education (high school equivalency and adult literacy priorities) in all the prisons

2) no separate line item for Legal Services Grants Program (**Justice #2**)

3) no separate line item for restoration of funding for domestic violence and sexual assault programs (**Priority, Violence Against Women #1**)

4/8/03 passed Senate 49/0

4/16/03 passed House 100/0 w/amendment to strike \$138,166 from education (leaving \$1M)

4/17/03 passed Senate 31/19

4/17/03 motion filed to reconsider

5/1/03 motion to reconsider vote failed

5/23/03 signed by Governor

HF667 Departments of Human Services and Public Health appropriation

4/10/03 passed House 60/37

4/22/03 passed Senate 29/21

4/22/03 motion filed to reconsider

5/1/03 motion to reconsider vote failed

5/23/03 item vetoed by Governor

5/23/03 signed by Governor